

**FILED**

June 07, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: SL  
DEPUTY

United States Courts  
Southern District of Texas  
FILED

2023 May 18 2023  
Nathan Ochsner, Clerk of Court  
SOUTHERN DIST. S/TX

Sealed  
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to this instrument are  
prohibited by court order

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**BOLAJI OKUNNU,  
AYODEJI OKUNNU,  
VICTOR RUBIO, JR.,  
BOUGAR ROBERT LINARES SOTO,  
and PHILIP OGBEIDE, JR.**

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**1:23-mj-357-DH**

**CRIMINAL NO. 4:23-cr-222**

**SEALED**

**INDICTMENT**

THE GRAND JURY CHARGES:

**COUNT ONE**

(Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1349)

**INTRODUCTION**

At all times material to this Indictment:

1. The defendants **BOLAJI OKUNNU, AYODEJI OKUNNU, and PHILIP OGBEIDE, JR.** resided in Houston, Texas. The defendants **VICTOR RUBIO, JR. and BOUGAR ROBERT LINARES SOTO** resided in California.
2. Victim is a township in New Jersey.
3. Company A is a provider of electrical and mechanical sales and services for customers in New Jersey.
4. A "money mule" is a person recruited to open a bank account, or use an already open bank account, under their control for the purpose of receiving money

illegally acquired and then to transfer some or all of the funds, often through electronic means, on behalf of others. A money mule is typically allowed to keep a percentage of the funds deposited into their account as a payment.

5. The term “business email compromise” (“BEC”) refers to a sophisticated fraud often targeting businesses involved in wire-transfer services. A BEC is accomplished by compromising and/or mimicking (“spoofing”) legitimate business email accounts, often through social engineering or computer intrusion techniques. Perpetrators of BEC fraud then use the email access to cause the target company, or individuals involved in legitimate business transactions with the target company, to conduct unauthorized transfers of funds to money mules’ bank accounts.

**THE CONSPIRACY:**

6. From at least in or about April 2021 through at least in or about December 2021, in the Southern District of Texas and elsewhere, the defendants **BOLAJI OKUNNU, AYODEJI OKUNNU, VICTOR RUBIO, JR., BOUGAR**

**ROBERT LINARES SOTO, and PHILIP OGBEIDE, JR.**, participated in a conspiracy to defraud and to launder the fraud proceeds received from victims.

Defendants, and others known and unknown to the Grand Jury, did willfully and knowingly combine, conspire, confederate, and agree together and with each other to execute a scheme and artifice to defraud and to obtain money, funds, and property by means of false and fraudulent pretenses, representations and promises

7. The purpose of the conspiracy was for defendants, and others known and unknown to the Grand Jury, to engage in business email compromise schemes to deceive customers of companies, including the Victim in this Indictment, into sending money owed to the company to a bank account under the defendants' control which was then quickly transferred and disbursed to other bank accounts interstate commerce certain writings, sign, signals and sounds, in violation of Title 18, United States Code, Section 1343.

**MANNER AND MEANS:**  
**PURPOSE OF THE CONSPIRACY:**

8. By at least in or about November 2021, co-conspirators of **BOLAJI OKUNNU, AYODEJI OKUNNU, VICTOR RUBIO, JR., BOUGAR ROBERT LINARES SOTO, and PHILIP OGBEIDE, JR.**, the defendants, had obtained access to the business email account of an employee ("EMP-1") of Company A. EMP-1's email was then used to send fraudulent interstate wire instructions to the Victim for a payment that the Victim owed to Company A. under defendants' control.

9. In response to those fraudulent wire instructions, and believing they were communicating with Company A, on or about November 23, 2021, the Victim caused its bank to send an interstate wire of \$287,236.14 to an account controlled

**MANNER AND MEANS:**

8. By at least in or about November 2021, co-conspirators of **BOLAJI OKUNNU, AYODEJI OKUNNU, VICTOR RUBIO, JR., BOUGAR**

**ROBERT LINARES SOTO, and PHILIP OGBEIDE, JR.**, the defendants, had

obtained access to the business email account of an employee ("EMP-1") of Company A. EMP-1's email was then used to send fraudulent interstate wire instructions to the Victim for a payment that the Victim owed to Company A.

9. In response to those fraudulent wire instructions, and believing they were communicating with Company A, on or about November 23, 2021, the Victim caused its bank to send an interstate wire of \$287,236.14 to an account controlled

things, the Victim's funds sent to RUBIO'S Wells Fargo account were quickly

transferred to other accounts under the control of BOLAJI OKUNNU, VNU,

AYODEJI OKUNNU, BOUGAR ROBERT LINARES SOTO, and PHILIPES  
OGBEIDE, JR., by RUBIO at Wells Fargo Bank. The Wells Fargo bank account had been opened  
using an assumed name certificate acquired in April 2021 in Harris County, Texas.

10. After the Victim's funds were fraudulently received in RUBIO'S Wells

Fargo account, the funds were laundered in a manner designed to conceal the

source, ownership, and control of the fraudulently obtained funds. Among other

things, the Victim's funds sent to RUBIO'S Wells Fargo account were quickly

transferred to other accounts under the control of BOLAJI OKUNNU, VNU,

AYODEJI OKUNNU, BOUGAR ROBERT LINARES SOTO, and PHILIPES

OGBEIDE, JR.,

conspire All in violation of Title 18, United States Code, Section 1349, and unknown to

the Grand Jury.

#### COUNT TWO

(Conspiracy to Commit Money Laundering, 18 U.S.C. § 1956(h))

bank deposits, withdrawals, and transfers—knowing that the property involved in

Paragraphs 1 – 10 are incorporated herein by reference in their entirety.

such transactions represented the proceeds of some form of unlawful activity and

11. From at least in or about April 2021 and continuing until at least December

2021, in the Southern District of Texas and elsewhere, BOLAJI OKUNNU,

AYODEJI OKUNNU, VICTOR RUBIO, JR., BOUGAR ROBERT LINARES

SOTO, and PHILIP OGBEIDE, JR., the defendants, did knowingly combine,

PURPOSE OF THE CONSPIRACY  
conspire, and agree with each other and with other persons known and unknown to

the Grand Jury to conduct and attempt to conduct financial transactions—to wit,

bank deposits, withdrawals, and transfers—knowing that the property involved in

such transactions represented the proceeds of some form of unlawful activity and

and did transfer

interstate commerce

18, United States Code

1956(a)(1)(B)(i).

All in violation

which, in fact, involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that the transactions were designed, in whole and in part, to conceal and disguise the nature, location, source, ownership, and control of the proceeds of such specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

personal, which constitutes or is derived from proceeds traceable to such offense.  
All in violation of Title 18, United States Code, Section 1956(h).  
Pursuant to Title 18, United States Code, Section 1956(h), the United

States gives notice to the defendants that in the event of conviction of the offense charged in Count One of this Indictment, the United States will seek forfeiture of all property, real or personal, which constitutes or is derived from proceeds traceable to such offense.

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C), the United States gives notice to the defendants that in the event of conviction of the offense charged in Count One of this Indictment, the United States will seek forfeiture of all property, real or personal, involved in money laundering or traceable to such offense.

Pursuant to Title 18, United States Code, Section 982(a)(1), the United States gives notice to the defendants that in the event of conviction of the offense charged in Count Two of this Indictment, the United States will seek forfeiture of all property, real or personal, involved in money laundering or traceable to such offense.

**Money Judgment and Substitute Assets**

The United States will seek the imposition of a money judgment against each defendant. In the event that a condition listed in Title 21, United States Code, Section 853(p) exists, the United States may seek to forfeit any other property of the defendants in substitution.

A TRUE BILL:

**Original Signature on File**

FOREPERSON OF THE GRAND JURY

ALAMDAR S. HAMDANI  
United States Attorney

By: Thomas Carter  
Belinda Beek  
Thomas Carter  
Assistant United States Attorneys



AO 442 (Rev. 11/11) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas



RECEIVED  
UNITED STATES MARSHAL  
2023 MAY 19 PM 1:59  
SOUTHERN DIST. S/TX

United States of America

v.

Ayodeji Okunnu

Case No.

4:23cr222

Defendant

## ARREST WARRANT



To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Ayodeji Okunnu

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment   
 ☐ Superseding Indictment   
 ☐ Information   
 ☐ Superseding Information   
 ☐ Complaint  
☐ Probation Violation Petition   
☐ Supervised Release Violation Petition   
☐ Violation Notice   
☐ Order of the Court

This offense is briefly described as follows:

Count 1: Conspiracy to commit wire fraud 18 USC 1349

Count 2: Conspiracy to commit money laundering 18 USC 1956(h)

Date: 05/19/2023

Issuing officer's signature

City and state: Houston, Texas

T Hanniable, Deputy Clerk

Printed name and title

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title